

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	7:08-md-01903 (CLB) (MDF)
In re: PepsiCo, Inc., Bottled Water Sales and	:	
Marketing Practices Litigation	:	MDL No. 1903
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This Document Relates to All Actions	:	NOTICE OF MOTION
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PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, the Declaration of Diane Petroccione, dated June 16, 2008, and the exhibit annexed thereto, Defendants PepsiCo, Inc., The Pepsi Bottling Group, Inc., and Pepsi Bottling Ventures LLC will move this Court before the Honorable Charles L. Brieant at the United States District Court for the Southern District of New York, Courtroom 218, 300 Quarropas Street, White Plains, New York 10601, on September 11, 2008 at 10:00 a.m. or as soon as counsel may be heard, for an Order, pursuant to Fed. R. Civ. P. 12(b)(6), dismissing this action for failure to state a claim for which relief can be granted.

PLEASE TAKE FURTHER NOTICE that responsive papers, if any, are due on July 17, 2008, and reply papers, if any, are due on August 7, 2008.

Dated: June 16, 2008
New York, New York

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